

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: LASER GUIDED MANIPULATION OF NON-ATOMIC PARTICLES.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PET international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed bēlow:

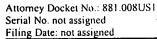
Application Number 60/102,418

Filing Date

September 30, 1998

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

					•
Adams, Gregory J.	Reg. No. P-44,494	Forrest, Bradley A.	Reg. No. 30,837	Nama, Kash	Reg. No. 44,255
Adams, Matthew W.	Reg. No. 43,459	Harris, Robert J.	Reg. No. 37,346	Nelson, Albin J.	Reg. No. 28,650
Anglin, J. Michael	Reg. No. 24,916	Huebsch, Joseph C.	Reg. No. 42,673	Nielsen, Walter W.	Reg. No. 25,539
Arora, Suneel	Reg. No. 42,267	Jurkovich, Patti J.	Reg. No. P-44,813	Oh, Allen J.	Reg. No. 42,047
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Padys, Danny J.	Reg. No. 35,635
Billion, Richard E.	Reg. No. 32,836	Kaufmann, John D.	Reg. No. 24,017	Parker, J. Kevin	Reg. No. 33,024
Black, David W.	Reg. No. 42,331	Klima-Silberg, Catherine I.	Reg. No. 40,052	Peacock, Gregg A.	Reg. No. P-45,001
Brennan, Leoniede M.	Reg. No. 35,832	Kluth, Daniel J.	Reg. No. 32,146	Perdok, Monique M.	Reg. No. 42,989
Brennan, Thomas F.	Reg. No. 35,075	Lacy, Rodney L.	Reg. No. 41,136	Polglaze, Daniel J.	Reg. No. 39,801
Brooks, Edward J., III	Reg. No. 40,925	Leffert, Thomas W.	Reg. No. 40,697	Prout, William F.	Reg. No. 33,995
Chu, Dinh C.P.	Reg. No. 41,676	Lemaire, Charles A.	Reg. No. 36,198	Schwegman, Micheal L.	Reg. No. 25,816
Clark, Barbara J.	Reg. No. 38,107	Litman, Mark A.	Reg. No. 26,390	Sieffert, Kent J.	Reg. No. 41,312
Dahl, John M.	Reg. No. P-44,639	Lundberg, Steven W.	Reg. No. 30,568	Slifer, Russell D.	Reg. No. 39,838
Drake, Eduardo E.	Reg. No. 40,594	Mack, Lisa K.	Reg. No. 42,825	Steffey, Charles E.	Reg. No. 25,179
Eliseeva, Maria M.	Reg. No. 43,328	Maki, Peter C.	Reg. No. 42,832	Terry, Kathleen R.	Reg. No. 31,884
Embretson, Janet E.	Reg. No. 39,665	Malen, Peter L.	Reg. No. P-44,894	Viksnins, Ann S	Reg. No. 37,748
Fogg, David N.	Reg. No. 35,138	Mates, Robert E.	Reg. No. 35,271	Woessner, Warren D.	Reg. No. 30,440
Fordenbacher, Paul J.	Reg. No. 42,546	McCrackin, Ann M.	Reg. No. 42,858		
I hereby deck	are that all statements	Telephone No. (·	hat all statements made or	n information and
Halief are believed to h	e true and further tha	t these statements were mad	le with the knowledge	e that willful false statemen	nts and the like so
defice are believed to t	E iissandan	t, or both, under Section 10	01 of Title 18 of the l	Inited States Code and the	at such willful false
made are punisnable o	y time or imprisonmen	it, of both, under Section to		omica bailes code and an	
	dize the validity of the	application or any patent is	ssued mereon.		
<u></u>		•		·,	
Full Name of joint inv	entor number 1:	Aichael J. Renn			
Citizenship:		ates of America	Residence: Albequ	uerque, NM	•
		allan Rd. NE	·	* '	*
Post Office Address:					•
	Albequero	jue, NM 87109		•	•
Signature:			Date:		
- 0	Michael J. Renn				
		•			
		•			1
			,		
Full Name of joint inv		David J. Odde			
Citizenship:	United St	ates of America	Residence: New B	righton, MN	
Post Office Address:	2200 Silv	er Ln.			•
1 00t 011100 1 tout 000.	2200 5111				

Date:

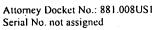
X Additional inventors are being named on separately numbered sheets, attached hereto.

New Brighton, MN 55412

#302

David J. Odde

Signature:



Filing Date: not assigned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	United States of America 2109F Woodmar Dr. Houghton, MI 49931	Residence: Houghton, MI				
Signature:		Date:	<u></u>			
	Robert L. Pastel			•		
Full Name of inventor: Citizenship: Post Office Address:		Residence:	w.			
				•		
Signature:		Date:	· · · · · · · · · · · · · · · · · · ·			
Signature: Signature: Pail Name of inventor:		· · · · · · · · · · · · · · · · · · ·		•		
Rill Name of inventor: Grizenship: Post Office Address:		Residence:	·	•		
O III Signature:		Date:				
				-		
Full Name of inventor: Citizenship: Post Office Address:		Residence:				
Signature:	·	Date:				
				-		



Attorney Docket No.: 881.008US1 Serial No. not assigned Filing Date: not assigned

Uī

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.